



Order Filed on January 9, 2020
by Clerk,
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY (NEWARK)

Caption in Compliance with D.N.J. LBR 9004-1(b)

RAS Citron, LLC

Authorized Agent for Secured Creditor

130 Clinton Road, Lobby B, Suite 202

Fairfield, NJ 07004

Telephone: 973-575-0707

Facsimile: 973-404-8886

Shauna Deluca, Esq. (SD-8248)

In Re:

Angela J. Magno,

Debtor.

Case No.: 19-11946-SLM

Chapter: 13

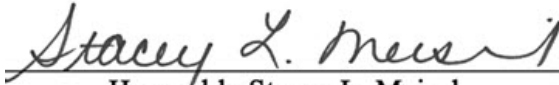
Hearing Date: November 13, 2019

Judge: Stacey L. Meisel

**AGREED ORDER RESOLVING SECURED CREDITOR'S MOTION FOR RELIEF
FROM THE AUTOMATIC STAY**

The relief set forth on the following pages, numbered two (2) through three (3), is hereby
ORDERED.

DATED: January 9, 2020


Honorable Stacey L. Meisel
United States Bankruptcy Judge

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Secured Creditor: Ditech Financial LLC

Secured Creditor's Counsel: RAS Citron, LLC

Debtor's Counsel: Russell L. Low

Property Involved ("Collateral"): 326 Gifford Pl, Teaneck, New Jersey 07666

Relief sought: ■ Motion for relief from the automatic stay

For good cause shown, it is **ORDERED** that Secured Creditor's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- The Debtor is overdue for 10 months from 2/1/2019 through 11/1/2019.
- The Debtor is overdue for 10 payments from 2/1/2019 through 11/1/2019 at \$3,128.33 per month.

Funds Held In Suspense \$0.00.

Total Arrearages Due \$31,283.30.

2. Debtor must cure all post-petition arrearages, as follows:

- Beginning on December 1, 2019, regular monthly mortgage payments shall continue to be made directly to Secured Creditor in the amount of \$3,128.33. This amount is subject to change based on escrow and/or interest rate adjustments.
- Beginning on December 15, 2019, monthly cure payments shall be made directly to Secured Creditor in the amount of \$5,213.90 for five (5) months, with a sixth (6th) and final payment in the amount of \$5,213.80 due on or before May 15, 2020.

3. Payments to the Secured Creditor shall be made to the following address(es):

- Regular monthly payment: Ditech Financial LLC
PO Box 0049
Palatine, IL 60055-0049
- Monthly cure payment: Ditech Financial LLC
PO Box 0049
Palatine, IL 60055-0049

4. In the event of Default:

■ Should the Debtor(s) fail to make any of the above captioned payments, or if any regular monthly mortgage payment should become more than thirty (30) days late or if Debtor(s) fails to comply with any terms of this Consent Order, counsel shall file a Certification of Default with the Court. A copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and the Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ In the event the Debtor(s) convert(s) to a Chapter 7 during the pendency of this bankruptcy case, the Debtor(s) shall cure all arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should the Debtors fail to bring the loan contractually current, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 7 and Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ This agreed order survives any loan modification agreed to and executed during the instant bankruptcy. If any regular mortgage payment due after the execution of a loan modification is more than thirty (30) days late, counsel shall file a Certification of Default with the Court a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

5. Award of Attorneys' Fees:

■ The Applicant is awarded attorney fees of \$350.00 and costs of \$181.00.

The fees and costs are payable:

■ Through the Chapter 13 plan.

Certificate of Notice Page 4 of 4

United States Bankruptcy Court
District of New Jersey

In re:
Angela J. Magno
Debtor

Case No. 19-11946-SLM
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Jan 09, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 11, 2020.

db +Angela J. Magno, 326 Gifford Place, Teaneck, NJ 07666-4002

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 11, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 9, 2020 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor Toyota Motor Credit Corporation
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Kevin Gordon McDonald on behalf of Creditor Toyota Motor Credit Corporation
kmcDonald@kmlawgroup.com, bkgroup@kmlawgroup.com
Laura M. Egerman on behalf of Creditor Ditech Financial LLC bkyecf@rasflaw.com,
bkyecf@rasflaw.com;legerman@rasnj.com
Marie-Ann Greenberg magecf@magtrustee.com
Russell L. Low on behalf of Debtor Angela J. Magno rbear611@aol.com,
ecf@lowbankruptcy.com;r57808@notify.bestcase.com
Shauna M Deluca on behalf of Creditor Ditech Financial LLC sdeluca@rasflaw.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 7